

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Jack Flash 341-11-79

AUCTION DATE/TIME: May 10, 2011 starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Area 1 is 52 net acres of modified clearcut; Area 2 is 71 net acres of modified clearcut; Area 3 is 34 net acres of modified clearcut. Approximate age: 50 years.

SALE LOCATION: Portions of Sections 10, 11, 12, 13, 14, and 15, T1N, R7W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook go to Highway 6 and travel east taking the first gravel road to the right (Ben Smith Road) past milepost 23. Continue on Ben Smith Road 2.4 miles to Area 1.

APPRAISED VOLUMES AND QUALITY:

| SPECIES | AVG DBH | TOTAL MBF | GRADES BY MBF | | | | | | | | | | | | | | | |
|-------------|---------|-----------|---------------|----|----|---|----|----|-------|-------|-----|----|-----|-----|-------|-----|----|-----|
| | | | 1P | 2P | 3P | P | SM | 1S | 2S | 3S | 4S | 5S | 6-7 | 8-9 | 10-11 | 12+ | CR | PLP |
| Douglas-fir | 20" | 3,276 | | | | | | | 1,558 | 1,483 | 235 | | | | | | | |
| Red alder | 12" | 218 | | | | | | | | | | | 88 | 104 | 18 | 8 | | |
| Sale Total | | 3,494 | | | | | | | | | | | | | | | | |

MINIMUM BID: BID SPECIES Douglas-fir..... \$309.12 per MBF

NO-BID SPECIES Red alder and other hardwoods..... \$257.77 per MBF
Western redcedar and other cedars \$735.00 per MBF
Western hemlock and other conifers \$240.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$ 201,500 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The timber sale areas contain negligible volumes of other logs to be paid for at the prices in Section 1740.

PERFORMANCE SECURITY: 20% of bid value (unknown) or the total value of the project work (\$ 202,000) whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: June 30, 2014 BID METHOD: Sealed Bids

BID DEPOSIT: \$ 86,700 SALE TYPE: Recovery/BOF - 100%

INSURANCE: \$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability; \$2,000,000 Logger's Broad Form

HARVEST METHOD: 55% cable, 45% ground.

PROJECTS: 1.6 miles road construction, 3.6 miles road improvement, and stockpile construction.

FEES: None

**ENDANGERED SPECIES ACT
COMPLIANCE STATEMENT:**

The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&E) species survey program. Surveys, determinations, and management measures are developed and implemented in good faith compliance with federal and state Endangered Species Act (ESA) requirements. Restrictions on operations due to T&E species considerations are included in the prospectus. Purchasers are required to comply with all federal and state laws, including the Endangered Species Act. Purchaser should take steps to be certain that no ESA violations occur. Prospective purchasers of timber sales are reminded that ODF surveying efforts may take place any time during the term of a timber sale contract. As part of the survey program, ODF surveys its lands on a continuing basis for land management, species protection, research, and other reasons. During the contract term, T&E survey work and/or the discovery of a threatened or endangered species within or in the vicinity of a timber sale may affect operations contemplated under the contract. In the event a threatened or endangered species is found within or near this sale, ODF may take steps necessary to protect the interests of the State, including contract alteration, suspension, or termination.

Prospective purchasers are encouraged to contact the Tillamook District at (503) 842-2545 for further information or questions relative to threatened or endangered species surveys, future planned survey information, or other threatened or endangered species information.

SPECIAL REMARKS:

NO PERSONAL OR COMPANY CHECKS ACCEPTED FOR THE BID DEPOSIT.

SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.

Felling operations on the Timber Sale Area shall not be allowed before September 1, 2011 (Sections 2035, 2310, 2455, and 2610), following completion of the 2011 northern spotted owl surveys indicating no resident spotted owls are present.

Sections 2015, "Log Accountability"; Section 2020, "Log Measurement"; Sections 2030, "Log Branding and Painting"; and Exhibit C, contains special language for pulp removal.

If pulp is yarded to the landing, removal is required.

Snag Creation (Section 2335).

BSR: No felling or project work shall be allowed prior to the completion of the 2011 northern spotted owl surveys indicating no resident spotted owls are present.

Felling shall be completed by March 15, 2014.

The information shown on the Exhibit A map(s) are approximate locations. Exact locations of features represented by map symbols shall be determined on site and shall depend upon the conditions that exist on site. Activities shall be conducted based upon features determined on site rather than features shown on maps.

See inside front cover of Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.

**SALE NAME: Jack Flash
COUNTY: Tillamook
CONTRACT NO.: 341-11-79**

TIMBER SALE NAME: Jack Flash

TIMBER SALE NO.: 341-11-79

OPENING DATE: May 10, 2011

FORM OF PROPOSAL

The undersigned agrees to accept and perform all of the above terms and conditions as stated in the form of contract for the above-cited timber sale, and bids, and will pay:

Bid Species:

Douglas-fir, sawmill grade or better, _____
_____ Dollars (\$) _____) per MBF .

Minimum grades and volumes for bid species are stated in the timber sale prospectus.

No-bid species will remain as shown:

Red alder and other hardwoods\$257.77 per MBF.
Western redcedar and other cedars.....\$735.00 per MBF
Western hemlock and other conifers.....\$240.00 per MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$86,700 payable to the Oregon Department of Forestry.

The undersigned agrees to execute and deliver the contract, initial payment, required certificates of insurance, and performance bond, within thirty (30) days of the date of the written notice of intent to award; and that any cash bid deposit may be applied to the first required timber sale payment.

The undersigned understands that the bid is irrevocable and further agrees that if they fail to qualify under the terms of the contract within the thirty-day period, the bid deposit shall become the property of the Oregon Department of Forestry as liquidated damages. **If the undersigned fails to qualify within the thirty-day period, STATE may disqualify the undersigned from submitting another bid on this timber sale.**

BIDDER _____
(Name of Individual or Company and Authorized Official)

TAX ID NO. _____

ADDRESS _____

PHONE _____

BY _____
(Signature of Authorized Official & Title)

COMPLETE PURCHASER'S STATUS ON PAGE 2

PURCHASER'S STATUS

Purchaser is a corporation Check
() Incorporated in
the State of _____

President's Name _____

Secretary's Name _____

Purchaser is: a partnership an assumed (business) company
 an individual name

List names of all persons doing business under the partnership or assumed name:

If assumed name is subsidiary to a corporation, fill in data requested of corporation also and write in corporation name here:

CERTIFICATION OF ELIGIBILITY
TO BID ON STATE TIMBER

_____ hereby certifies that they:

EXPORT

- (a) Will not export the unprocessed State timber as defined in OAR 629-031-0020 which is the subject of this transaction;
- (b) Will not sell, transfer, exchange, or otherwise convey the unprocessed timber as defined above which is the subject of this transaction to any other person without first obtaining a certification from that person which meets the requirements of OAR 629-031-0030.
- (c) Are not prohibited by OAR's 629-031-0005 through 0045 from bidding for unprocessed State timber as defined above directly from the State Forester.
- (d) Understand that falsely entering into this certification is a violation of the Forest Resources Conservation Amendments Act of 1993 and OAR Chapter 629, Division 31, and is subject to any and all penalties contained therein.
- (e) Have not exported unprocessed timber originating from private lands in Oregon in the last 24 months, **or if bidding only on STATE hardwood timber or logs, HAVE** exported unprocessed timber originating from private lands in Oregon in the last 24 months, but **HAVE NOT** exported unprocessed **hardwood** timber originating from private lands in Oregon in the last 24 months **and** meet the requirements of OAR 629-031-0010(2).

DEFAULT, TERMINATION, AND OTHER RELATED MATTERS

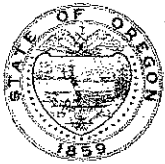
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, in writing, with this bid for consideration by STATE. Any such explanation shall be submitted at the time of bid on a separate piece of paper.

Signed

Title

Dated

[NOTE: For the purpose of this form, the definition of unprocessed timber is the same as in OAR 629-031-0005.]



Oregon

John A. Kitzhaber, MD, Governor

Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

503-945-7200

FAX 503-945-7212

TTY 503-945-7213 / 800-437-4490

<http://www.odf.state.or.us>



"STEWARDSHIP IN
FORESTRY"

Biological Survey Report

Project: Jack Flash
Date: January 12, 2011
To: Joe Travers
CC: Dan Goody, District Sale File
From: Matt Gostin

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. It does not contain potentially suitable habitat for marbled murrelets.

Survey Results

This sale was surveyed for northern spotted owls in 2010, using a protocol endorsed by the U.S. Fish and Wildlife Service. Northern spotted owls were not observed during these surveys. The second year of surveys will be conducted in 2011.

Surveys for or marbled murrelets are not necessary for this sale.

Known T&E Resources

There are no northern spotted owl activity centers or Marbled Murrelet Management Areas affecting this sale.

Operational Considerations

No felling or project work shall be allowed prior to the completion of the 2011 northern spotted owl surveys indicating no resident spotted owls are present.

Northern spotted owl survey results will be valid until March 15, 2014 upon completion of the second year of surveys in 2011.

All timber should be felled by March 15, 2014.

Future Survey Plans

ODF will conduct spotted owl surveys in 2011 to complete the 2 year survey protocol. In addition, ODF will be conducting spotted owl surveys within 3 miles of this sale, as part of an investigation into the presence or absence of spotted owl use of the Tillamook Burn.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Jack Flash

| Year | Visit #1 | Visit #2 | Visit #3 | Visit #4 | Visit #5 | Visit #6 | |
|-------------|-------------------|----------|------------------------------------|----------------|-----------------|----------------|--|
| Survey Area | Date | Date | Date | Date | Date | Date | |
| Jack Flash | 4/27-28 | 5/17-18 | 6/16-17 | 7/13-14 | 7/27-28 | 8/9-10 | |
| | 4/28-29 | 5/22-23 | 6/17-18 | | 7/28-29 | | |
| 2010 | NR | NR | NR | NR | NR | NR | |
| Jack Flash | TBA | TBA | TBA | TBA | TBA | TBA | |
| 2011 | | | | | | | |
| NR | - no response | j | - juvenile | M ₀ | - mouse refused | M ₄ | - 4 mice taken |
| V | - visual response | jj | - 2 juveniles | M ₁ | - 1mice taken | M ₅ | - 5 mice taken |
| bb | - new bird banded | ■ | - last visit to site | M ₂ | - 2 mice taken | M ₆ | - 6 mice taken |
| | | | | M ₃ | - 3 mice taken | | |
| ♀ ♂ | ♀ ♂ | ♀ ♂ | - Pair (day, night, early morning) | ♀ ♂ | ♀ | ♀ | - Female (day, night, early morning) |
| ♂ | ♂ | ♂ | - Male (day, night, early morning) | ○ | ⊗ | ⊙ | - Sex Unkn (day, night, early morning) |